

allowable if rewritten in independent form. Applicant respectfully disagrees with the rejection and traverses as follows.

Rejections Under 35 U.S.C. §103(a)

Claim 1

Applicant has amended Claim 1 to incorporate the limitation regarding the relationship of distances S1 and S2. This limitation originally appeared in Claim 2. Claim 2 has been cancelled. Claim 1 now reads:

1. (Amended) A twisted pair cable comprising a plurality of pairs, each of said pairs comprising:

two conductors, each of said conductors being covered with an inner layer insulator and an outer lay insulator, said conductors being eccentric with respect to the overall insulation of said inner and outer layer insulator, said conductors being separated by a distance S1 which is smaller than the separation S2 between one of the two conductors and a conductor of an adjacent pair.

The Examiner states that Gagnon discloses a twisted pair of cable comprising a plurality of twisted pairs wherein the pairs comprise two conductors surrounded by an inner layer insulator and an outer layer insulator. (Office Action at 4). The Examiner also states that “Gagnon doesn’t necessarily disclose the conductors being eccentric with respect to the inner and outer insulators...nor the conductors being separated by a distance of S1 which is smaller than the separation S2 of the conductors in adjacent pairs.” (Office Action at 5). The Examiner states that Brorein teaches an electric cable comprising a plurality of twisted pairs having two conductors that are eccentric with respect to the insulation. (Office Action at 5). The Examiner further states that Brorein teaches “that the plurality of twisted pairs (80) has two conductors (82)

which are separated by a distance (S1) which is smaller than the separation S2 of conductors (not number) in adjacent pairs (see details Fig. 3D).” (Office Action at 5).

Brorein does not disclose, in Fig. 3D or elsewhere, that the separation distance S1 should be smaller than the separation distance S2. Fig. 3D of Brorein does not show a multitude of twisted pairs, but rather shows cross-section views, taken at various points along the length of a single twisted cable pair. (Col. 7, Lines 1-9). The depiction in Fig. 3D is meant to show the back twist of the individual conductors at varying points of length of a single twisted pair. Nothing in Fig. 3D, nor anywhere else in Brorein, teaches, discloses or suggests that separation distance S1 should be smaller than separation distance S2 because there is no adjacent pair shown to which distance S2 could be measured. Furthermore, even if the Examiner were to reference a figure from either Gagnon or Brorein showing multiple cable pairs together, neither reference discusses scale and it would be improper to read into a reference (or references) a discussion of the relative distance of conductors when no such discussion exists.

Neither Gagnon nor Brorein, discloses or suggests the limitation that separation distance S1 shall be smaller than separation distance S2. Since neither Gagnon nor Brorein describes or suggests this limitation, then the combination of Gagnon and Brorein does not describe or suggest every limitation of the invention in claim 1 and therefore the combination of Gagnon and Brorein does not render the invention of claim 1 obvious.

Because the references do not teach or suggest every limitation of claim 1 claim 1 is therefore patentable for at least the reasons discussed above.

Claim 3

Claim 3 reads:

3. A twisted pair cable comprising a plurality of pairs, each of said pairs comprising two conductors, each of said conductors being covered with an inner layer insulator and an outer layer insulator defining an outer surface, said conductors being asymmetric such that said conductors are closer to each other than to conductors in adjacent pairs in contact at the outer surface opposite said conductors.

The Examiner states that Gagnon does not necessarily disclose “the conductors being isometric such that the conductors are closer to each other than to the conductors in adjacent pairs in contact at the outer surface opposite the conductors.” (Office Action at 5). The Examiner does state that “Brorein teaches that the conductors (82) are isometric such that the conductors (second horizontal conductors from left) are closer to each other than to the conductors (fourth horizontal conductors from left) in adjacent pairs (Col. 11, Lines 20-38).” (Office Action at 6). The section of Brorein to which the Examiner refers describes the conductors depicted in Fig. 3D. As described above in reference to claim 1, Fig. 3D is an illustration of one pair of conductors at different sections of length. (Col. 7, Lines 1-9 and Col. 11, Lines 21-38). Brorein does not depict, nor disclose spacing conductors so that they are closer to each other than to conductors in adjacent pairs.

Since neither Gagnon nor Brorein discloses or suggests the claim limitation regarding the spacing of conductors, then the combination of Gagnon and Brorein does not describe or suggest every limitation of the invention in claim 3 and therefore the combination of Gagnon and Brorein does not render the invention of claim 3 obvious.

Because the references do not teach or suggest every limitation of claim 3, claim 3 is therefore patentable for at least the reasons discussed above.

Claims 4-16

Claims 4-16 are all dependent upon claim 1, and are therefore patentable for at least the reasons described above in reference to claim 1.

CONCLUSION

Reconsideration and allowance of claims 1 and 3-16 is respectfully requested.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after entering this amendment to the record, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the number provided below.

It is not believed that any extension for time or fees for next addition of claims are required, beyond those which maybe required for in the document accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a) and any fees required therefore, including fees for net addition of claims are hereby authorized to be charged to our deposit account No. 23/2825.

Respectfully Submitted,



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APPENDIX 1 – AMENDED CLAIMS

1. A twisted pair cable comprising a plurality of pairs, each of said pairs comprising:
two conductors, each of said conductors being covered with an inner layer insulator and an outer lay insulator, said conductors being eccentric with respect to the overall insulation of said inner and outer layer insulator, said conductors being separated by a distance S1 which is smaller than the separation S2 between one of the two conductors and a conductor of an adjacent pair.